



Attorney Packet No. 00575/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Rob PIETERSE et al

Serial No. : 09/622,087

Filed : October 3, 2000

For : METHOD AND SYSTEM FOR
TRANSMITTING DATA

ATTENTION: OFFICE OF FINANCE
ACCOUNTING DIVISION
REFUND SECTION

REQUEST FOR REFUND

Hon. Commissioner of Patents
and Trademarks

S I R :

Attached hereto is a highlighted copy of our October 2000
Monthly Statement of Deposit Account 06-1378. The \$110 fee,
charged on October 12, 2000 (Control No. 275, Fee Code 115) for
an extension for response within the first month, is respectfully
submitted to be in error for the following reason.

Adjustment Date: 06/06/2001
10/12/2000
01 FC:115

Attached is a highlighted copy of the Notification of
Missing Requirements under 35 U.S.C. 371 dated August 24, 2000.
The highlighted paragraph seen near the end of said Notification
states that items "must be submitted within one month from the
date of this notice or by 31 months from the priority date for
the application, whichever is later." The expiration date of 31
months from the March 10, 1998 priority date is October 10, 2000.

CERTIFICATE OF MAILING

I hereby certify this
correspondence is being
deposited with the United
States Postal Service with
sufficient postage as First
Class mail in an envelope
addressed to: Commissioner of
Patents and Trademarks,
Washington, D.C. 20231 on the
date noted below.

Attorney: Leonard Holtz

Dated: March 27, 2001

In the event that this Paper
is late filed, and the
necessary petition for
extension of time is not filed
concurrently herewith, please
consider this as a Petition
for the requisite extension of
time, and to the extent not
tendered by check attached
hereto, authorization to
charge the extension fee,
or any other fee required
in connection with this
Paper, to Account No. 06-1378

OFFICE OF FINANCE
REFUND SECTION
MAR 26 2001

DEP & REF
#307
#6

In response to said Notification, all required items were received by the PTO on October 3, 2000 -- well within the time limit -- as evidenced by the copy of the attached Notification of Acceptance of Application under 35 U.S.C. 371, and our returned receipt postcard. No extension of time fee was required.

Therefore, it is respectfully requested that the Patent Office credit the \$110 extension fee, charged in error on October 12, 2000, to the undersigned's Deposit Account 06-1378.

Respectfully submitted,



Leonard Holtz
Reg. No. 22,974

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Langer & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2023
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LH:cb



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Account No.	061378
Date	10-31-00
Page	1

FRISHAUF, HOLTZ, GOODMAN LANGER & CHICK FINA
ATTN CATHERINE BACON
767 THIRD AVENUE
25TH FLOOR
NEW YORK NY 10017-2023

PLEASE SEND REMITTANCES TO:
Patent and Trademark Office
P.O. Box 70541
Chicago, Ill. 60673

*** 00 INDICATES OVERDRAWN



09/622/007



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COM.
Box PCT
Washington, D.C. 20231

86

U.S. APPLICATION NO. 09/622,007 FIRST NAMED APPLICANT PIETERSE ATTY. DOCKET NO.

FRISHAUF HOLTZ GOODMAN
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767 THIRD AVENUE
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NEW YORK NY 10017-2023

5071

R 00575/LH
INTERNATIONAL APPLICATION NO.

PCT/1B99/00702

I.A. FILING DATE PRIORITY DATE

03/10/99 03/10/98

DATE MAILED: 08/24/00
31 days due Oct 10, 00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 10 Aug 00 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

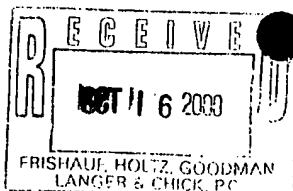
Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

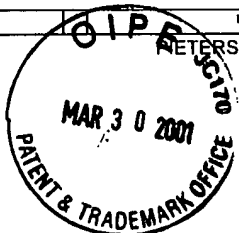
Telephone: (703) 805-3724

National Stage Processing
Patent Specialist



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

U.S. APPLICATION NO. 09/622087	FIRST NAMED APPLICANT PIETERSE	ATTY. DOCKET NO. R 00575/LH
INTERNATIONAL APPLICATION NO. PCT/IB99/00702		
I.A. FILING DATE 10 MAR 99	PRIORITY DATE 10 MAR 98	



DATE MAILED: 11 OCT 2000

**NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371
AND 37 CFR 1.494 OR 1.495**

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

2. The United States Application Number assigned to the application is shown above and the relevant dates are:

03 OCT 00
35 U.S.C. 102(e) DATE

03 OCT 00
DATE OF RECEIPT OF
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371(C) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☒ A request for immediate examination under 35 U.S.C. 371(f) was received on 10 AUG 00 and the application will be examined in turn.

4. The following items have been received:

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application:
 - ☐ a non-English language
 - ☒ English.
- ☐ Translation of the international application
- ☒ Oath or Declaration of inventorship
- ☐ Copy of Article 19 amendment
- ☐ The Article 19 amendment
- ☒ The International Preliminary Examination Report
- ☐ Copy of the Annexes to the International Preliminary Examination Report
 - ☐ Translation of Annexes
 - The Annexes ☐ have
- ☒ Preliminary amendment(s) filed
- ☐ Information Disclosure Statement
- ☒ Assignment document.
- ☐ Power of Attorney and/or Change of Address
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

00575/LH-SP Due: OCTOBER 10, 2000
Ser. No.: 09/622,087
Deposited: August 10, 2000
Applicant(s): R. PIETERSE, ET AL
ASSISTANT COMMISSIONER FOR PATENTS
ACKNOWLEDGES RECEIPT OF:
Transmittal Letter
Executed Declaration
FORM PCT/DO/EO/905
Assignment and PTO-1595 Form
Check \$ 130.00 # 80269
Check \$ 40.00 # 80270
Express Mail No. EL 682 566 635 US
Mailed: October 3, 2000

414 Rec'd PCT/PTO 03 OCT 2000

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Charita A. Burt, Paralegal